



IOWA DEPARTMENT OF NATURAL RESOURCES

January 26, 2006

For immediate release

- 1. Master matrix used to site animal confinements adopted by 82 counties**
- 2. DNR enforcement actions**

**MASTER MATRIX USED TO SITE ANIMAL CONFINEMENTS
ADOPTED BY 82 COUNTIES**

DES MOINES – Most Iowa counties have once again adopted the use of the master matrix, a tool for counties to evaluate the proposed sites of animal confinements.

As of Thursday, 83 counties had passed resolutions and submitted them to the DNR. The enrollment period ends on Jan. 31 for the 2006 construction season.

Counties that adopt the matrix can use it to evaluate the potential environmental and social impacts of animal confinement operations that need a construction permit prior to building.

Producers in participating counties must meet more stringent requirements than state law normally requires, based on potential impacts to water quality, air quality and the community.

Producers and citizens can check which counties are participating on the DNR Web site at <http://www.iowadnr.com/afo/files/06cermap.pdf>

For more information, contact Tammie Krausman, DNR, at (515) 281-8382.

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DNR ENFORCEMENT ACTIONS

DES MOINES — The DNR took the following enforcement actions in December 2005 and January 2006 unless otherwise noted. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Administrative Orders

Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty.

- Jack and Mary Hemmingson, dba Gold Key Motel, of Hampton, were ordered to install continuous disinfection facilities, perform required monitoring and reporting, provide public notice of the bacteria monitoring violation, and pay a \$5,215 penalty. The order is in regard to drinking water supply violations at the Gold Key Motel in Hampton.
- Carl Cliburn, of Ottumwa, was ordered to remove all solid waste from his property in Wapello County, to submit documentation of proper disposal to the DNR, and to pay a \$3,500 penalty. This order was taken in October 2005.

Consent Orders

A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

- West Liberty Foods, L.L.C., of West Liberty, agreed in a consent order to conduct performance testing of emission points, meet with the DNR regarding test results and to submit applications for air quality construction permits for all unpermitted emission points and units. The order is in regard to air quality violations.
- John Danker, of Fort Madison, agreed in a consent amendment to a 2004 administrative order to pay a \$5,000 penalty and to a payment schedule. The amendment is in regard to a 2004 administrative order regarding air quality and solid waste violations.
- Iowa Regional Utilities Association, of Newton, formerly known as Central Iowa Water Association (CIWA), agreed to three separate consent orders:
 - Iowa Regional Utilities Association agreed to obtain all required permits prior to construction, to comply with all stormwater requirements, to comply with bacteria monitoring requirements and to pay a \$10,000 penalty. The order is in regard to a water main project north of Newton.
 - Iowa Regional Utilities Association agreed to contribute \$8,400 to the Bremer County Conservation Board in lieu of paying this penalty amount directly to the DNR. The order is in regard to construction of a well near Waverly without a permit.

- Iowa Regional Utilities Association agreed to pay an \$8,000 penalty. The order is in regard to the construction of a booster pumping station near Tama, a water main in Garden City and an elevated storage tower in the LeGrand area without construction permits.
- Dale Schumann, of Albert City, agreed in a consent order to pay compliance fees for the years 2003, 2004 and 2005, and to pay a \$4,000 penalty. The order is in regard to failure to submit a manure management plan, failure to contain manure and failure to report a manure spill for a site in Buena Vista County.
- Stuart Yoder, of Kalona, agreed in a consent amendment to a 2005 administrative order to pay a \$3,500 penalty. The amendment is in regard to air quality and solid waste violations. The penalty has been paid.
- HRV Petro, LLC, of Spring Green, Wisc., and Genesis Two Holdings, LLC, of Dubuque, agreed to a consent amendment to a 2005 administrative order regarding underground storage tank violations in Dubuque. HRV agreed to pay a \$3,000 penalty.
- Executive Construction Company, of Cedar Rapids, agreed in a consent order to pay a \$6,000 penalty. The order is in regard to stormwater violations for a construction site in Cedar Rapids.
- Iowa State University Heating Plant, of Ames, agreed in a consent amendment to a 2004 administrative order to properly maintain and operate the existing facilities and equipment that contributes to wastewater discharges, to follow a DNR compliance schedule and to pay a \$1,500 penalty. The order is in regard to wastewater violations.
- Ron Fisher, dba Ron Fisher Furniture, of Marshalltown, agreed in a consent amendment to a 2003 administrative order to obtain required permits before constructing or modifying equipment, and to maintain records and conduct required stack testing. The amendment is in regard to air quality violations.
- Fertilizer Equipment Specialists, Inc., of Garner, agreed in a consent order to pay a \$1,000 penalty. The order is in regard to open burning of trade waste.
- Galen and Sharon Drent, of Boyden, agreed in a consent order to pay compliance fees for 2003, 2004 and 2005, and to pay a \$4,000 penalty. The order is in regard to failure to file a manure management plan for a site in Sioux County.
- The City of Wadena agreed in a consent order to follow a compliance schedule for upgrades to its wastewater treatment facility and to pay a \$3,000 penalty.
- Linwood Mining and Materials Corp., of Davenport, agreed to a consent amendment to a 2002 consent order to regarding limestone storage requirements. The amendment is in regard to air quality violations at a site in Buffalo, Iowa.

- Casey's Marketing Company, of Ankeny, agreed to settle outstanding penalties assessed in 11 administrative orders by entering into four separate consent agreements. The original orders were issued in 2003 and 2004 regarding underground storage tank operation and maintenance violations. Casey's complied with the non-penalty terms of the order and agreed to the following penalty assessments:
 - Casey's agreed to pay a \$15,000 penalty regarding tank testing violations at sites in Clive, Altoona, Ankeny, Oskaloosa, Indianola, Knoxville, Osceola, Polk City, Forest City and Boone.
 - Casey's agreed to pay a \$2,399 penalty regarding tank testing violations at a site in Jefferson.
 - Casey's agreed to pay an \$18,101 penalty and to conduct an internal audit of all its Iowa stores to determine if timely inspections have been performed on underground storage tanks. The amendment is in regard to underground storage tank violations at sites in Eagle Grove, Ankeny, Morning Sun, Middletown and Woodward.
 - Casey's agreed to pay a \$4,500 penalty regarding failure to provide the DNR with requested records for sites in Red Oak, Greenfield, Glidden and Hamburg.

For more information, contact Jessie Brown at (515) 281-5131 or Jessie.Brown@dnr.state.ia.us.